



## **VILLAGE OF LOS LUNAS**

### **PROCLAMATION**

**SUBJECT:** Restriction and Ban on Open Burning, and the Use of Fireworks

**WHEREAS,** Severe drought conditions exist throughout much of central New Mexico, according to information issued by the National Weather Service.

**WHEREAS,** The Governing Body of the Village of Los Lunas held a public hearing on March 16, 2006 to determine whether the Village of Los Lunas is affected by extreme or severe drought conditions and whether fireworks restrictions should be imposed within the municipal boundaries of the Village of Los Lunas.

**WHEREAS,** The Governing Body made certain findings of fact based upon information provided during the public hearing.

**WHEREAS,** One of the findings of the Governing Body was that the Village of Los Lunas is affected by severe drought conditions based on current drought indices published by the National Weather Service and other information supplied by the United States Forest Service; and

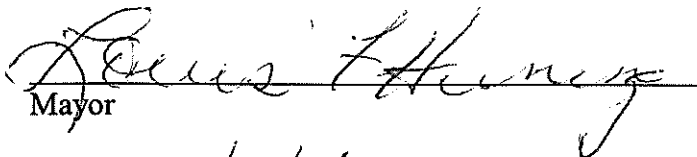
**WHEREAS,** Any non-profit organization wishing to sponsor a public display of fireworks in the Village of Los Lunas must obtain a permit in compliance with safety requirements set forth by the Village police and fire department in accordance with Section 60-2C-9 NMSA 1978 as amended. For purposes of the Proclamation, "display fireworks" means devices primarily intended for commercial displays that are designed to produce visible or audible effects by combustion, deflagration, or detonation, including salutes containing more than one hundred thirty milligrams of explosive composition; aerial shells containing more than forth grams of chemical composition exclusive of lift charge; and other exhibition display items that exceed the limits for permissible fireworks.

**NOW THEREFORE, BE IT PROCLAIMED BY THE GOVERNING BODY OF THE VILLAGE OF LOS LUNAS:**

**Section 1:** Severe drought conditions exist within the municipal boundaries of the Village of Los Lunas.

- Section 2:** Open burning within the Village of Los Lunas is banned, to include open burning such as cropland, fields, rangeland, debris, slash piles, bon fires, leaves, tree limbs, ditches, and campfires.
- Section 3:** In addition to any ordinance enacted pursuant to NMSA 1978§ 60-2C-7.C, the sale and use within the municipal boundaries of the Village of Los Lunas of missile-type rockets, helicopters, aerial spinners, and stick-type rockets is prohibited by this Proclamation.
- Section 4:** In addition to any ordinance enacted pursuant to NMSA 1978§ 60-2C-7.C, the sale and use within the municipal boundaries of the Village of Los Lunas of ground audible devices including: chasers and firecrackers is prohibited by this Proclamation.
- Section 5:** The Governing Body is limiting the use of otherwise permissible fireworks, including: roman candles, mines, shells, cone fountains, crackling devices, cylindrical fountains, flitter sparklers, ground spinners, illuminating torches, toy smoking devices and wheels to areas within the municipal boundaries that are paved or barren or areas that have a readily accessible source of water.
- Section 6:** The Governing Body, having consulted with the state forester, is banning the use of all fireworks within areas that are covered wholly or in part by timber, brush or native grass.
- Section 7:** This proclamation is effective for thirty days from this date unless a subsequent Proclamation is issued by the Governing Body.

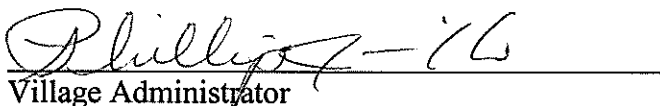
APPROVED THIS 16<sup>TH</sup> DAY OF MARCH, 2006

  
Mayor

Date

3/17/06

Attest:

  
Village Administrator